

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

THE DAILY WIRE, LLC *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF STATE *et al.*,

Defendants.

Civil Action No. 6:23-cv-00609 (JDK)

DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES

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Pursuant to Local Civil Rule 7(k), the government respectfully requests leave to file a 50-page combined brief both in opposition to Plaintiffs' Motion for Preliminary Injunction and in support of Defendants' Motion to Dismiss the Complaint, in excess of the page limits that apply to dispositive briefs and responses to non-dispositive briefs:

1. The government's deadline to respond to Plaintiffs' Motion for Preliminary Injunction is March 15, 2024. ECF No. 17.
2. The government's deadline to respond to the Complaint is March 28, 2024. ECF No. 15. The government intends to file on March 15, 2024, a Motion to Dismiss Plaintiffs' Complaint, pursuant to Fed. R. Civ. P. 12(b)(1), for lack of subject-matter jurisdictions.
3. Simultaneously with the instant motion, the government plans to file a combined brief that opposes Plaintiffs' Motion for Preliminary Injunction and supports Defendants' Motion to Dismiss the Complaint. In order to adequately brief the issues raised in both motions, the government respectfully requests leave to file a 50-page combined brief.
4. Good cause supports this request. Plaintiffs' brief in support of their Motion for Preliminary Injunction is 37 pages long, and the Complaint is 66 pages long and contains 313 paragraphs. Defendants' combined brief addresses both submissions. The government requires additional pages to adequately address Plaintiffs' request for emergency relief and Plaintiffs' numerous allegations and claims in the Complaint.
5. Moreover, under the Eastern District of Texas's Local Rules 7(a)(1) and 7(a)(2), the government would ordinarily be permitted 15 pages for its opposition to Plaintiffs' non-dispositive Motion for Preliminary Injunction and 30 pages for its dispositive Motion to Dismiss. The Court granted Plaintiffs leave however, without objection from Defendants, to file a 37-page brief in support of their motion. Were the government granted leave to file an opposition brief of equal length, and separately filed a 30-page brief in support of

their Motion to Dismiss, the total length would far exceed the 50-page brief that the government seeks leave herein to file. Thus, granting the government's request will streamline briefing in this case by combining both briefs into one, permitting it to more efficiently address overlapping issues and to reduce burdens on the Court and the parties.

6. Undersigned counsel has conferred with counsel for Plaintiffs, who do not oppose this request.

Dated: March 15, 2024

Respectfully submitted,

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/s/ Arjun Mody
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CERTIFICATE OF CONFERENCE

Pursuant to Local Rule 7(i), counsel for Defendants conferred with counsel for Plaintiffs regarding the relief requested in this motion. Plaintiffs do not oppose the motion.

/s/ Arjun Mody
ARJUN MODY

CERTIFICATE OF SERVICE

On March 15, 2024, I electronically submitted this document to the clerk of court of the U.S. District Court for the Eastern District of Texas using the court's electronic case filing system. I certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Arjun Mody
ARJUN MODY